

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, November 19th, 2025, 6:00 pm

3 Providence City Office Building, 164 North Gateway Dr., Providence Ut

5 To view the video recording of the meeting please visit our YouTube channel found [HERE](#).

7 **HR. MIN. SEC.** above agenda items are timestamps of the YouTube recording.

9 **Call to Order:** Robert Henke

10 **Chair Roll Call of Commission Members:** John Petersen, Bob Perry, Bob Henke, Michael Fortune, Julie
11 Martin and Joe Chambers.

12 **Staff in Attendance:** City Manager Ryan Snow, Community Development Director Skarlet Bankhead and City
13 Recorder Ty Cameron.

14 **Pledge of Allegiance:** Bob Perry

16 **7 MIN. 20 SEC.**

17 ➤ **Item No. 1 Approval of Minutes:** The Planning Commission will consider approval of the minutes
18 of October 8th, 2025. [\(MINUTES\)](#)

- 20 • Bob Henke called for the approval of the minutes of October 8th, 2025.
- 21 • Julie Martin indicated that she appeared online and voted via the hand gesture icon online.

23 **Motion to approve the minutes of October 8th, 2025- Michael Fortune. 2nd- Julie Martin.**

24 **Vote:**

25 **Yea- John Petersen, Robert Henke, Julie Martin, Michael Fortune & Joe Chambers.**

26 **Nay-**

27 **Abstained-**

28 **Absent-**

30 **Motion passed unanimously. Minutes approved.**

32 **Public Comments:** Citizens may express their views on issues within the Planning Commission's jurisdiction.
33 The Commission accepts comments: in-person, by email providencacityutah@gmail.com , and
34 by text 435-752-9441. By law, email comments are considered public record and will be shared
35 with all parties involved, including the Planning Commission and the applicant.

- 36 • Chair Henke opened the floor for public comments, clarifying that this portion was for anything not
37 related to what was on the agenda, as he assumed most attendees were present for agenda items. Staff
38 confirmed there were no comments received via email for non-agenda items.
- 39 • No one from the public came forward with comments on non-agenda matters, and the public comment
40 period was closed.

Public Hearings:

9 MIN. 50 SEC.

➤ **Item No. 2 Wildland Urban Interface proposed code amendment:** The Providence City Planning Commission will take comments and questions from the public regarding a proposed code amendment to Providence City Code 9-6-7 & 10-5-7 as it relates to the city's Wildland Urban Interface Code

- Chair Henke opened the public hearing for the Wildland Urban Interface proposed code amendment. He asked if anyone present wished to speak specifically to this item. No one came forward, and staff confirmed there were no online comments for this item.
- Chair noted that a member of the fire department was present and suggested they could provide background when the commission reached the ordinance discussion later in the meeting.
- The public hearing for Item 2 was closed without comment.

11 MIN. 30 SEC.

➤ **Item No. 3 PCC Amendment – PCC 1-3-2 Residence for persons with disabilities:** The Providence City Planning Commission will take comments and questions from the public regarding a proposed code amendment to Providence City Code 1-3-2, definition of residence for persons with disabilities.

- Multiple residents provided comments regarding the proposed code amendment to clarify the definition of residence for persons with disabilities. The public hearing received substantive input from both sides:
- Supporters of the clarification, led by Shea Studinger, emphasized that the amendment would ensure all homes abide by the same ordinances regardless of who lives in them.
- Jay Hymas, CEO of Clear Recovery of Cache Valley, opposed the amendment, stating that it would restrict housing for individuals with disabilities, particularly those with substance use disorders and mental health issues. He argued the amendment violates federal and state protections including the Fair Housing Act and Utah Code.
- Several representatives from Clear Recovery and individuals in recovery shared personal experiences about the importance of treatment facilities and recovery housing. They emphasized that disability housing should not be limited by the same occupancy restrictions as regular family homes.
- Residents from the neighborhood near the proposed Clear Recovery facility expressed support for the code clarification, arguing it would protect the single-family residential nature of the area.
- Ty Cameron, City Recorder, read emailed comments on the record.
- No further comments were made.
- Chair Henke closed the public hearing.

Legislative – Action Item(s):

1 HR. 19 MIN. 50 SEC.

➤ **Item No. 4 Wildland Urban Interface proposed code amendment recommendation:** The Providence City Planning Commission will review, discuss and may make a recommendation to the city

council regarding a proposed code amendment to Providence City Code 9-6-7 & 10-5-7 as it relates to the city's Wildland Urban Interface Code. (STAFF REPORT)

- Ryan Snow began the presentation, explaining that the state has passed new legislation requiring cities to adopt the latest wildland urban interface building code. He detailed that the requirement includes both adopting the code and establishing a map designating WUI areas within the city. Ryan explained that cities can choose the risk level for their maps, giving examples of drawing the line along the Deer Fence Trail (affecting only those building above the trail) or at the base of the bench (affecting all bench residents).
- He then introduced a concerning aspect of the state legislation: Whatever that line is and as the state moves forward to clarify there will be a fee attached based on the square footage and on the risk of the home that there will be an additional fee assessed to your property taxes that will go into the state. He noted this fee would help fund wildland firefighting efforts, and pointed out that local representative Casey Snider was the sponsor of this bill.
- Robert LaCroix, Operations Fire Chief for Logan City Fire Department (which provides fire protection for Providence City), was introduced to provide additional information. He clarified that HB 48, passed in the spring, requires two things: first, the state will develop their own risk map (which hasn't been released yet), and second, cities must adopt the 2006 wildland urban interface fire code.
- Chief LaCroix emphasized the critical importance of adopting the code: If we don't adopt it, right now we belong to what's called the CWS which is the Cooperative Wildfire System. And we pay into a fund by sweat equity... it's like 4100 dollars, insurance fee. He explained that without this adoption, if a fire starts in Providence and spreads to state land, Providence would be responsible for the entire cost. He gave a sobering example: This year we had a fire in North Logan, 16 acres started in North Logan and went into state land, that fire significate amount dollars for 16 acres, fortunately it was covered.
- A planning commissioner asked about the meaning of "7" on the risk scale. The Chief explained it refers to a structure exposure score based on previous fire history, topography, and other factors. He clarified there would be two different maps - Providence's map for code enforcement and the state's map for fee assessment.
- The discussion revealed significant confusion about the two-map system. When asked about the purpose of having two maps, Chief explained: HB 48 states that we have to adopt the 2006 code, WUI code, and have a WUI designated area. He emphasized that Providence's map determines where the 2006 building code applies, while the state's map (to be released around June) will determine which properties pay additional fees.
- Ryan added that for the first two years (2006 and 2007), there would be a flat fee based on square footage. After 2028, properties would receive individual risk assessments rating them as high, medium, or low risk, with fees adjusted accordingly. Properties not requesting inspection would automatically receive the highest risk rating.
- Parties clarified the two issues
 - The city must adopt the 2006 code and designate a wildland urban interface area
 - The state will create its own risk map, which will determine which properties will be assessed fees.

Motion to recommend to the City Council adoption of the 2006 code and accept the recommendations of staff based on the findings of facts, conclusion of law and conditions as set

forth for the code 9-6-7 and 10-5-7 as it relates to the Wildland Urban Interface Code. –
Michael Fortune. 2nd- Joe Chambers.

Vote:

Yea- John Petersen, Robert Henke, Julie Martin, Michael Fortune & Joe Chambers.

Nay-

Abstained-

Absent-

Motion passed unanimously.

1 HR. 47 MIN. 30 SEC.

➤ **Item No. 5 PCC Amendment – PCC 1-3-2 Residence for persons with disabilities:** The Providence City Planning Commission will review, discuss and may make a recommendation to the City Council regarding a proposed code amendment to Providence City Code 1-3-2, definition of Residence for persons with disabilities. (AMENDMENT)

- The commission moved to discuss the proposed code amendment regarding the definition of residence for persons with disabilities. Skarlet Bankhead presented the staff report, explaining that concerns had been raised about the current definition's clarity regarding what type of dwelling units it applied to.
- Skarlet Bankhead explained that it clarifies the definition of "residence for persons with disabilities" by adding the phrase "which complies with the laws applicable to the type of dwelling being occupied."
- She explained that this clarification consolidates what is already in the code but not easily found in one place. The amendment also updates the Utah code references which were outdated.
- Commission asked about occupancy limits for rental homes. Skarlet explained that state code prohibits cities from having a limit less than 4 for unrelated persons renting together. She clarified that the definition of family includes a single person living alone, a traditional family unit with head of household and relatives, or up to 4 unrelated persons.
- Joe Chambers identified what appeared to be a spelling error in paragraph D, questioning whether "for" should be "or" in the phrase "which is licensed for certified by."
- Several commissioners sought clarification on what the amendment actually does. Ryan Snow explained that the current code allows up to four unrelated individuals to live in a residential dwelling unit, regardless of whether they have disabilities or not.
- The amendment clarifies that the dwelling type restrictions apply to all residences, including those for persons with disabilities.
- Joe Chambers noted that while he attended the variance hearing he did not stay and this does not believe there is a conflict of interest as this item was a public hearing and is a code amendment.

Motion to recommend to the City Council adoption of the code amendment to Providence City Code 1-3-2, the definition of residence for persons with disabilities.

Vote:

Yea- John Petersen, Robert Henke, Julie Martin, Michael Fortune & Joe Chambers.

Nay-

177 **Abstained-**
 178 **Absent-**

179
 180 **Motion passed unanimously.**

181
 182 **2 HR. 42 MIN. 20 SEC.**

183 ➤ **Item No. 6 PCC Addition - PCC 10-9-8 Mining and Similar Activities Update:** The Providence
 184 City Planning Commission will review, discuss and may make a recommendation to the City Council
 185 regarding a proposed new code to the Providence City Code; 10-9-8 Mining and Similar Activities.
 186 **(PCC 10-9-8 UPDATED REVIEW)**

- 187
- 188 • Skarlet Bankhead presented the updated proposed code for Mining and Similar Activities,
 189 incorporating suggestions from the previous meeting. Changes included:
 - 190 ○ Adding specific safety standards (MSHA and OSHA standards)
 - 191 ○ Defining the mining area to include staging areas, crushing areas, and other related
 192 spaces
 - 193 ○ Establishing distance requirements: mining area must be 200 feet from the nearest
 194 residential structure, and crushers must be 500 feet away
 - 195 ○ Security and fencing requirements
 - 196 ○ Signage requirements
 - 197 ○ Clarification on hours of operation for both on-site work and truck routes
 - 198 ○ Requirement that truck routes avoid school zones when possible
- 199 • Parties suggested changing the distance requirement wording from "nearest residential structure"
 200 to "nearest residential property line with an existing residential structure."
- 201 • The commission discussed whether to prohibit mining entirely. Skarlet noted you can if we
 202 chose to do that. We could not have mining in the city... Remember, that goes for city projects
 203 too. So if the city felt like it was more economical and feasible to dig out and crush in an area,
 204 we would not be able to do it.
- 205 • *Michael Fortune was excused from the meeting. Bob Perry is now a voting member.*
- 206 • Commissioner Chambers recommended adding provisions that would allow the administrative
 207 land use authority to establish conditions for truck travel on steep grades, including brake checks
 208 and prohibiting shifting on hills.

209
 210 **Motion to recommend to the City Council adoption of the changes in the mining and similar**
 211 **activities code (Item No. 6) with the changes discussed regarding property lines and truck safety**
 212 **measures on steep grades. – John Petersen. 2nd- Bob Perry.**

213 **Vote:**

214 **Yea- John Petersen, Robert Henke, Julie Martin, Bob Perry & Joe Chambers.**

215 **Nay-**

216 **Abstained-**

217 **Absent-**

218
 219 **Motion passed unanimously.**
 220

Administrative Action Item(s):

2 HR. 20 MIN. 30 SEC.

- **Item No. 7 Wilson Meadows Preliminary Plat:** The Planning Commission will review, discuss and may take action on approving the Wilson Meadows preliminary plat from Timber Brook Homes. **(STAFF REPORT)**
- The Commission changed the order of items to accommodate attendees and took up Item No. 7 before Item No. 6.
 - Skarlet Bankhead presented the Wilson Meadows preliminary plat from Timberbrook Homes. She explained that while the property is zoned single-family high (which allows lots as small as 6,000 square feet), the developer has recorded a deed restriction requiring all residential lots to be a minimum of 9,250 square feet.
 - Parties discussed zoning history and City Councils pervious meeting and approval of the zone.
 - Parties discussed cul-du-sacs but realized that it was not feasible in this area and that the general plan called for a through street.
 - She noted that the development would extend 325 West as a local road from Meadowridge Park to 100 South. Ms. Bankhead recommended approval with conditions including addressing comments in the staff report, engineering review, and fire marshal review.
 - Dallin Tolman, representing the developer, stated they had already addressed most of the conditions noted in the report. He also addressed a question about a cul-de-sac, explaining that per city ordinance, a through street is required when a road extends two blocks.

Motion to approve the Wilson Meadows preliminary plat with the conditions of addressing the comments in red, addressing the comments by the engineering review, as well as the fire marshal review, and that the applicant will continue to meet all of the federal, state, county, and Providence rules and laws as stated in the application per the findings of facts and conclusions of law as found in the staff report. – Julie Martin. 2nd- Michael Fortune.

Vote:

Yea- Robert Henke, Julie Martin, Michael Fortune & Joe Chambers.

Nay- John Petersen

Abstained-

Absent-

Motion passed, preliminary plat approved.

Study Items(s):

- **Item No. 8 PCC 10-8-10 Affordable Housing Incentives code addition:** The Planning Commission will discuss, review and may move forward with setting a public hearing regarding PCC 10-8-10 Affordable Housing Incentives. **(CODE REVIEW)**
 - This item was tabled until the next meeting due to time constraints

260 **Motion to adjourn the meeting. – Julie Martin. 2nd- John Petersen.**
261 **Vote:**
262 **Yea- John Petersen, Robert Henke, Julie Martin, Bob Perry & Joe Chambers.**
263 **Nay-**
264 **Abstained-**
265 **Absent-**
266
267 **Motion passed, meeting adjourned.**
268
269 **Minutes approved by vote of commission on _____ day of _____ .**
270
271 **I swear these minutes are true and correct to the best of my knowledge.**
272
273 _____
274 **Ty Cameron, City Recorder.**